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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 101228634-1149-02]

RIN 0648-XA825

Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; quota transfer.

SUMMARY: The State of Florida is transferring a portion of its 2011 commercial bluefish quota to New York State. By this action, NMFS adjusts the quotas and announces the revised commercial quota for each state involved.

DATES: Effective [Insert date of filing for public inspection at the Office of the Federal Register], through December 31, 2011.

FOR FURTHER INFORMATION CONTACT: Carly Bari, Fishery Management Specialist, 978-281-9224.

SUPPLEMENTARY INFORMATION: Regulations governing the bluefish fishery are found at 50 CFR part 648, subpart J. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from Florida through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.160.

The final rule implementing Amendment 1 to the Bluefish Fishery Management Plan,

which was published on July 26, 2000 (65 FR 45844), provided a mechanism for bluefish quota to be transferred from one state to another. Two or more states, under mutual agreement and with the concurrence of the Administrator, Northeast Region, NMFS (Regional Administrator), can transfer or combine bluefish commercial quota under § 648.160(f). The Regional Administrator is required to consider the criteria in § 648.160(f)(1) in the evaluation of requests for quota transfers or combinations.

Florida has agreed to transfer 200,000 lb (90,718.5 kg) of its 2011 commercial quota to New York. This transfer was prompted by the diligent efforts of state officials in New York not to exceed the commercial bluefish quota. The Regional Administrator has determined that the criteria in § 648.160(f)(1) have been met. The revised bluefish quotas for calendar year 2011 are: Florida, 743,117 lb (337,072.2 kg); and New York, 1,173,624 lb (532,346.9 kg).

#### Classification

This action is taken under 50 CFR part 648 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 et seq.

Dated: November 23, 2011

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Alan D. Risenhoover,  
Director,  
Office of Sustainable Fisheries,  
National Marine Fisheries Service.

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